

Message Text

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ACTION COME-00

INFO OCT-01 NEA-14 ISO-00 EB-11 TRSE-00 CIAE-00 INR-10

NSAE-00 RSC-01 AF-10 DRC-01 /048 W

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R 131345Z MAY 74

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC PRIORITY 1218

UNCLAS TRIPOLI 0525

E.O. 11652: N/A

TAGS: ETRD LY

SUBJECT: DOING BUSINESS IN LIBYA

REF: STATE 096407

1. EMBOFFS CALLED ON ABDELRAZIK SHENIB, CHIEF ECONOMIC SECTION, MFA, MAY 13, REGARDING QUERY POSED REFTEL.
 2. SHENIB SAID HE UNAWARE OF ANY NEW LAW OR POLICY PRONOUNCEMENT PRECLUDING INCLUSION CONDITIONS ON PERFORMANCE BONDS. SAID HE WOULD DOUBLE-CHECK THIS WITH MINECON AND INFORM US IF SUCH A CHANGE HAD BEEN MADE.
 3. HE REMARKED, HOWEVER, THAT LIBYAN STATE AGENCIES TRY, DURING NEGOTIATIONS, TO GET BEST POSSIBLE DEAL FOR THEIR PRINCIPALS INCLUDING, WHEREVER POSSIBLE, MINIMUM CONDITIONS RESTRICTING RECOVERY PERFORMANCE BONDS IF CONTRACT TERMS NOT MET. HE REALIZED, HOWEVER, THAT FOREIGN TENDERERS MIGHT WELL INSIST ON SUCH CONDITIONS AND THAT, IF LIBYAN NEGOTIATORS COULD NOT GET MORE FAVORABLE TERMS FROM RIVAL COMPANIES, LIBYANS WOULD AGREE TO INCLUSION CONDITIONS.
 4. THUS, WE BELIEVE CITED STATEMENT A-92 OF JUNE 15 1972 STILL VALID. IN VIEW OF INFO IN PARA 3 ABOVE, IT WOULD APPEAR AMERICAN COMPANIES SEEKING SALES CON-
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TRACTS WITH LARG AGENCIES SHOULD INCLUDE PERFORMANCE

BONDS AS ONE OF ISSUES TO BE NEGOTIATED.
STEIN

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Message Attributes

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